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PTO/SB/05 (2/98)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	0942.4340002/RWE/BJD
First Inventor or Application Identifier	HU
Title	Nucleic Acid Ladders
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☐ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
- ☒ Specification [Total Pages 31]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
- ☐ Oath or Declaration [Total Pages]
 - ☐ Newly executed (original or copy)
 - ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
- ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ☐ Microfiche Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☒ Computer Readable Copy
 - ☒ Paper Copy (identical to computer copy)
 - ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449
- ☐ Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Two Return Receipt Postcards (MPEP 503)
(Should be specifically itemized)
- ☐ *Small Entity Statement(s) (PTO/SB-09-12) ☐ Statement filed in prior application, Status still proper and desired
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☒ Other: 37 C.F.R. § 1.136(a)(3) Authorization
- ☐ Other:

*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27). EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 09/048,242

Prior application information: Examiner: Siew, J. Group/Art Unit: 1653

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

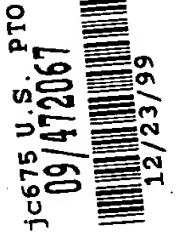
or ☒ Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.				
	Attorneys at Law				
ADDRESS	Suite 600, 1100 New York Avenue, N.W.				
CITY	Washington	STATE	DC	ZIP CODE	20005-3934
COUNTRY	USA	TELEPHONE	(202) 371-2600	FAX	(202) 371-2540

NAME (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473
SIGNATURE		Date	Dec. 23, 1999

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

HU *et al.*

Appl. No. (To be assigned; Rule 53(b)
Continuation of 09/048,242)

Filed: (Herewith)

For: **Nucleic Acid Ladders**

Art Unit: (To be assigned)

Examiner: (To be assigned)

Atty. Docket: 0942.4340002/RWE/BJD

**Authorization To Treat A Reply As Incorporating An Extension Of Time
Under 37 C.F.R. § 1.136(a)(3)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this petition is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono
Agent for Applicants
Registration No. 42,473

Date: Dec. 23, 1999
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

DUPLICATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HU *et al.*

Appl. No. (To be assigned; Rule 53(b)
Continuation of 09/048,242)

Filed: (Herewith)

For: **Nucleic Acid Ladders**

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Atty. Docket: 0942.4340002/RWE/BJD

JC675 U.S. PTO

09/472067



**Authorization To Treat A Reply As Incorporating An Extension Of Time
Under 37 C.F.R. § 1.136(a)(3)**

Assistant Commissioner for Patents
Washington, D.C. 20231

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Brian J. Del Buono
Agent for Applicants
Registration No. 42,473

Date: Dec. 23, 1999
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

12/23/99
16658 U.S. PTO

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W., SUITE 600

WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540; (202) 371-6566

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE

STEVEN R. LUDWIG
JOHN M. COVERT*
LINDA E. ALCORN
RAZ E. FLESHNER
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
STEPHEN G. WHITESIDE
JEFFREY T. HELVEY*

HEIDI L. KRAUS
JEFFREY R. KURIN
RAYMOND MILLIEN
PATRICK D. O'BRIEN
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES*
EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL

TERESA U. MEDLER
JEFFREY S. WEAVER
KRISTIN K. VIDOVICH
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
GRANT E. REED
VINCENT L. CAPUANO
JOHN A. HARROUN*
MATTHEW M. CATLETT*
NATHAN K. KELLEY*
ALBERT J. FASULO II *

KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
BRIAN J. DEL BUONO**
ANDREA J. KAMAGE**
NANCY J. LEITH**
TARJA H. NAUKKARINEN**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

December 23, 1999

WRITER'S DIRECT NUMBER:

(202) 789-5525

INTERNET ADDRESS:

BRIAND@SKGF.COM

Assistant Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. (To be Assigned; Rule 53(b) Continuation of 09/048,242);
Filed: (Herewith)
For: **Nucleic Acid Ladders**
Inventors: HU *et al.*
Our Ref: 0942.4340002/RWE/BJD

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05;
2. U.S. Utility Patent Application entitled:

Nucleic Acid Ladders

and naming as inventor(s):

A-Li W. HU
James L. HARTLEY
Heather J. JORDAN

Assistant Commissioner for Patents

December 23, 1999

Page 2

the application consisting of:

- a. A specification containing:
 - (i) 23 pages of description prior to the claims, including a sequence listing on pages 21 to 23;
 - (ii) 7 pages of claims (34 claims);
 - (iii) a one (1) page abstract;
- b. 3 sheets of drawings: (Figures 1-3);
3. Preliminary Amendment and Submission of Substitute Sequence Listing;
4. A paper copy of the Substitute Sequence listing (pages 1-3);
5. A computer readable diskette copy of the Substitute Sequence listing;
6. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3); and
7. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Agent for Applicants
Registration No. 42,473

RWE/BJD/dmb

Enclosures

SKGF Rev. 11/9/99